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Attorneys for Defendant Rob Bonta, in his official capacity as Attorney General of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL ZELENY, an individual,

Case No. 3:17-cv-07357 RS

Plaintiff,

V.

ROB BONTA¹, an individual, in his official capacity; CITY OF MENLO PARK, a municipal corporation; and DAVE BERTINI, in his official capacity,

Defendants.

**CASE MANAGEMENT CONFERENCE
STATEMENT BY DEFENDANT ROB
BONTA**

Date: November 14, 2024

Time: 10:00 a.m.

Judge: Hon. Richard G. Seeborg

Courtroom: 3

¹ Defendant Rob Bonta, the current Attorney General of California, is automatically substituted for former Attorney General Xavier Becerra. Fed. R. Civ. P. 25(d).

1 In late August, the Ninth Circuit entered an order vacating the May 2, 2022 judgment in
2 favor of Defendant Rob Bonta and remanding the case back to this Court. Dkt. No. 232. A
3 mandate was issued under Rule 41(a) of the Federal Rules of Appellate Procedure on September
4 19, 2024. Dkt. No. 234. A few days later, the Court set a Case Management Conference for
5 November 14, 2024, and directed the parties to submit a joint case management statement. Dkt.
6 No. 235.

7 At this juncture, counsel for Defendant Rob Bonta has been unable to locate current counsel
8 for Plaintiff Michael Zeleny. Plaintiff's counsel of record in the Ninth Circuit matter, Alan Beck,
9 has informed Defendant's counsel that he no longer represents Plaintiff. Mr. Beck directed
10 Defendant's counsel to contact Damian Robinson, the attorney who previously represented Mr.
11 Zeleny in the district court but filed a motion to withdraw as counsel in the Ninth Circuit. *See*
12 *Zeleny v. Bonta*, 9th Cir. Case No. 22-15870, Dkt. No. 21. As of the date of filing, counsel for
13 Defendant has been unable to contact Plaintiff's current counsel.

14 Defendant therefore respectfully requests the Court enter an order continuing the Case
15 Management Conference for 60 days to allow Defendant's counsel to identify Plaintiff's counsel
16 and for the parties to meet and confer regarding further proceedings in this matter.

18 Dated: November 8, 2024

Respectfully submitted,

ROB BONTA
Attorney General of California
R. MATTHEW WISE
Supervising Deputy Attorney General

/s/ S. Clinton Woods
S. CLINTON WOODS
Deputy Attorney General
*Attorneys for Defendant Rob Bonta, in his
official capacity as Attorney General of
California*

CERTIFICATE OF SERVICE

Case Name: *Zeleny, Michael G.* Case No. *3:17-cv-07357 RS (NC)*
Brown, et al.

I hereby certify that on November 8, 2024, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

- **CASE MANAGEMENT CONFERENCE STATEMENT BY DEFENDANT ROB BONTA**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on November 8, 2024, at San Francisco, California.

M. Mendiola
Declarant

M. Mendiola
Signature

SA2018100198